



1 Ja Vonne M. Phillips, Esq. SBN 187474  
2 Charles M. Standard, Esq. SBN 160720  
3 **McCarthy & Holthus, LLP**  
4 1770 Fourth Avenue  
5 San Diego, CA 92101  
Phone (619) 685-4800  
Fax (619) 685-4810

6 Attorney for: Secured Creditor,  
7 Litton Loan Servicing

IT IS SO ORDERED.  
Signed February 26, 2010

*Arthur S. Weissbrodt*  
Arthur S. Weissbrodt  
U.S. Bankruptcy Judge

10 UNITED STATES BANKRUPTCY COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13  
14 In re: ) Case No. 09-56272 W  
15 Cielo Rosario Ulpindo, )  
16 Debtor. ) Chapter 13  
17 ) RS No. MJ-4562  
18 )  
19 ) **INTERIM ORDER FOR ADEQUATE**  
20 ) **PROTECTION**  
21 )  
22 ) Date: 03/09/2010  
23 ) Time: 2:00 PM  
24 ) Ctrm: 3020  
25 ) Place: 280 S. First Street  
26 ) San Jose, CA  
27 )  
28 )  
29 )

The motion of Secured Creditor Litton Loan Servicing LP as servicing agent for  
The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Holders of the  
GE-WMC Asset-Backed Pass-Through Certificates, Series 2005-2, its assignees and/or  
successors, for relief from the automatic stay came on regularly for hearing by the Court on the  
date, time and place set forth above, before the Honorable Arthur S. Weissbrodt. Movant,

1 appeared by and through its Attorney of Record, McCarthy & Holthus, LLP by Charles M.  
2 Standard. All other appearances are as noted in the court record.

3 Upon reading the papers and pleadings on file herein, and upon hearing oral argument  
4 and based on the evidence presented, the Court rules as follows:

5 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED**

- 6 1. This Order affects the real property commonly known as: 10092 South Blaney Avenue,  
7 Cupertino, CA 95014
- 8 2. Secured Creditor acknowledges payment in the amount of \$2500.00 received to the office of  
9 their attorney on 1/6/2010.
- 10 3. Debtor shall pay \$2500.00 on or before 2/1/2010.
- 11 4. Debtor shall pay \$2,500.00 on or before 3/1/2010
- 12 5. Payments shall be made directly to Attorney Office on behalf of Secured Creditor to  
13 McCarthy & Holthus, LP, 1770 Fourth Avenue, San Diego, CA 92101, with reference to  
14 Loan Number and M&H File Number CA-09-15161, or as otherwise directed.
- 15 6. In the event Debtor fails to timely perform any of the obligations set forth in this Order,  
16 Secured Creditor shall notify Debtor and Debtor's counsel of the default in writing. Debtor  
17 shall have ten (10) calendar days from the date of the written notification to cure the default.
- 18 7. If Debtor fails to timely cure the default, Secured Creditor shall be entitled to lodge a  
19 Declaration of Default and an Order Terminating the Automatic Stay. The Order shall be  
20 entered without further hearing. The automatic stay shall be immediately terminated and  
21 extinguished for all purposes as to Secured Creditor and Secured Creditor may proceed with  
22 and hold a trustee's sale of the subject property, pursuant to applicable state law, and without  
23 further Court Order or proceeding being necessary, commence any action necessary to obtain  
24 complete possession of the subject Property, including unlawful detainer, if required.
- 25 8. If Debtor defaults on the obligations set forth herein on more than three (3) occasions,  
26 Secured Creditor may lodge a Declaration and Order Terminating the Automatic Stay. The  
27 Order shall be entered without further hearing. The automatic stay shall be immediately  
28 terminated and extinguished for all purposes as to Secured Creditor and Secured Creditor  
29 may proceed with and hold a trustee's sale of the subject property, pursuant to applicable

1 state law, and without further Court Order or proceeding being necessary, commence any  
2 action necessary to obtain complete possession of the subject Property, including unlawful  
3 detainer, if required.

4 IT IS SO ORDERED:  
5

6 Approved as to Form and Content:  
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8           See Attached Page  
9 Richard T. Hilovsky, Esq.  
10 Attorney for Debtor

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12           **\*\* END OF ORDER \*\***  
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1                   **COURT SERVICE LIST**

2                   DEBTOR  
3                   Cielo Rosario Ulpindo  
4                   10092 South Blaney Avenue  
5                   Cupertino, CA 95014

6                   COUNSEL FOR DEBTOR  
7                   Richard T. Hilovsky  
8                   960 Saratoga Avenue, #112  
9                   San Jose, CA 95129

10                  TRUSTEE  
11                  Devin Derham-Burk  
12                  P.O. Box 50013  
13                  San Jose, CA 95150

14                  Litton Loan Servicing  
15                  c/o McCalla Raymer, LLC  
16                  Bankruptcy Department  
17                  1544 Old Alabama Road  
18                  Roswell, GA 30076

19                  c/o Jacque A. Gruber  
20                  c/o Pite Duncan, LLP  
21                  4375 Jutland Drive, Suite 200  
22                  P.O. Box 17933  
23                  San Diego, CA 92117

24                  Dyck-O'Neal, Inc  
25                  PO Box 13370  
26                  Arlington, TX 76094

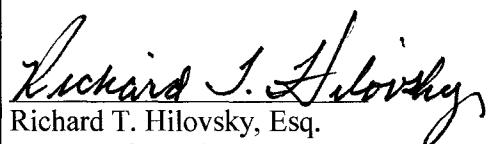
27                  HSBC Bank Nevada, N.A.  
28                  Bass & Associates, P.C.  
29                  3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712

30                  McCarthy & Holthus, LLP  
31                  1770 Fourth Avenue  
32                  San Diego, CA 92101

1 state law, and without further Court Order or proceeding being necessary, commence any  
2 action necessary to obtain complete possession of the subject Property, including unlawful  
3 detainer, if required.

4 IT IS SO ORDERED:  
5

6 Approved as to Form and Content:  
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8   
9 Richard T. Hilovsky, Esq.  
10 Attorney for Debtor

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12 **\*\* END OF ORDER \*\***  
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